_01/4272005 WED 11:19 FAX 12489888363 Carlson, Gaskey & Olds

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60,427-257 2000P07668US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application:

Astorino, et al.

Serial No.:

09/827,794

Filcd:

04/06/2001

Group Art Unit:

2644

Examiner:

Michalski, Justin I.

For:

ACTIVE NOISE CANCELLATION SYSTEM

RECALIBRATION

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Non-Final Office Action mailed on December 16, 2004.

Applicant hereby elects without traverse to prosecute the invention described by Group I, claims 1, 4-16, 22, 25 and 26.

Respectfully submitted,

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Dated: January 12, 2005

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CERTIFICATE OF FACSIMILE

I hereby certify that this Response to Restriction Requirement, Application Serial No. 09/827,794 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9366) on January 12, 2005.

Theresa M. Palmateer

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